

REMARKS

Amendment and/or cancellation of claims herein are made without prejudice to the applicants' right to pursue claims of the same or similar scope in a duly filed continuing application.

The Rejection of Claims under 35 USC §112, First Paragraph

The examiner rejected all pending claims under 35 USC 112, first paragraph, asserting that the claimed subject matter lacked written descriptive support in the specification. In this rejection, the examiner essentially repeated the basis set forth in the previous office action, and in response to previously presented arguments by the applicant, the examiner suggested that the rejection could be overcome by amending claim 55 to more clearly recite that the protamine is modified. Inasmuch as protamines recited in the claim have a molecular weight of about 400 to about 2500 Daltons and are described in the specification to be fragments of naturally occurring protamines, the amendment to claim 55 to recite "protamine fragment" makes explicit what was implicit in the claim as previously presented and does not alter the scope of the claim. Accordingly, amendment to claim 55 herein is believed to overcome the rejection.

The Rejection of Claims under 35 USC §112, Second Paragraph

The examiner also rejected various claims under 35 USC §112, second paragraph as discussed individually below.

Claim 55 was rejected as assertedly being indefinite for reciting "a protamine" which does not clarify how this compound differs from "native" protamine. The applicants submit that the amendment to claim 55 as discussed above overcomes the rejection.

Claims 59 through 62 and 64 were rejected for assertedly lacking antecedent basis, the examiner asserting that the health condition of the mammal recited in the claims is not a step in the method of claim 55. The applicants respectfully disagree. The rejected claims all ultimately depend from claim 56 which recites the heparin contacted in located in a mammal and the rejected claims each recite a condition of the mammal into which the composition is administered. These rejected claims are no different from hypothetical claims depending

from claim 56 which further defined the type of mammal. Here the condition of the mammal is recited, the mammal recited in the rejected claims appropriately finding antecedent basis in claim 56.

Claim 63 was rejected for reciting "a second coagulant" when not first coagulant is recited in the claims. Amendment to the claim to remove the term "second" renders the rejection moot.

Claim 69 was rejected as assertedly being indefinite for recited the phrase "ameliorates an effect of heparin or low molecular weight heparin" which the examiner believed to be unclear as to what effect of heparin in resolved. The applicants respectfully disagree for reasons set out in the previous amendment and maintain that heparin-related conditions are taught by the claims and the specification. (see, e.g., claims 59 through 62) However, in order to expedite prosecution, claim 69 is cancelled herein..


Claim 70 was rejected for reciting an obvious typographical error which is corrected by amendment herein.

CONCLUSION

In view of the amendments and remarks made herein, the applicants believe that all claims are now in condition for allowance and respectfully request notification of the same.

Dated: August 7, 2007

Respectfully submitted,

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